

Update: Traffic Benchbook— Revised Edition, Volume 1

CHAPTER 6

Marine Vessels and Personal Watercraft (PWC)

Part B—Traffic Offenses in the Marine Safety Act

6.13 Right of Way Requirements and Operation of Vessels in Restricted Areas or at Restricted Times

Change the title of Section 6.13 as indicated and add the following new subsection to the bottom of page 6-18:

C. Operation of Vessels at Restricted Times

Effective January 3, 2005, 2004 PA 547 created a new traffic offense involving the operation of “airboats” during certain hours when the vessels are within a specific distance of area residences.

According to MCL 324.80101, an “airboat” is “a motorboat that is propelled, wholly or in part, by a propeller projecting above the water surface.” MCL 324.80101(a). MCL 324.80108a(1) prohibits a person from operating an airboat on state waters “within 450 feet of a residence between the hours of 11 p.m. and 6 a.m. at a speed in excess of the minimum speed required to maintain forward movement.” There are three exceptions to this rule:

- ♦ operating an airboat during an emergency when necessary to protect public safety.
- ♦ operating an airboat after it has run aground in an effort to free the boat.
- ♦ operating a clearly marked and identifiable airboat for a governmental purpose. MCL 324.80108a(2)(a)–(c).